

REMARKS

Applicant acknowledges receipt of an Office Action dated November 2, 2005. In this response, Applicant has amended claims 1, 18, and 19. Claims 20-23, 27, and 28 have been canceled without prejudice or disclaimer. Following entry of these amendments, claims 1-19, 24-26, and 29-32 are pending in the application.

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and the remarks which follow.

Rejections Under 35 U.S.C. § 112

On page 2 of the Office Action, the PTO has rejected claims 1-32 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. While Applicant respectfully traverses this rejection, in the interest of advancing prosecution in the present application, Applicant has amended claims 1, 18, and 19 so that each of these claims recites “a first silicone placed on the opposed sides of the first and second portions,” and Applicant has cancelled claims 20-23, 27 and 28 without prejudice or disclaimer. Applicant has made these amendments in an effort to focus prosecution on the embodiment of the invention which is depicted, by way of example, in Figure 3 of the present application. Thus, the arrangement depicted on page 2 of the Office Action is correct.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection under §112.

Rejection Under 35 U.S.C. §102

On page 3 of the Office Action dated March 11, 2005, the PTO has rejected claims 1-32 under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Pat. 6,283,507 to Kami et al. (hereafter “Kami”) or possibly U.S. Pat. 6,177,366 to Li et al. (hereafter “Li”). Inasmuch as the PTO has indicated, on page 2 of the current Office Action, that it is maintaining all previous rejections, Applicant respectfully traverses this rejection for the reason set forth below.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal*

Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP § 2131.

As an initial matter, Applicant respectfully requests that the PTO reconsider the outstanding rejections under §102 in light of the response to the outstanding §112 rejection outlined above. Applicant submits that neither Kami nor Li discloses the presently claimed arrangement of textiles and silicones.

Neither Kami nor Li discloses “a second silicone interposed between the opposed sides of the first and second portions at a junction thereof, the second silicone comprising a solventless addition room-temperature-vulcanizing adhesive silicone” as recited in independent claims 1, 18, and 19.

Further, and with particular regard to claims 1 and 18, Applicant submits that neither Kami nor Li disclose a “second silicone having 20 or less JIS-A hardness and 800% or more initial fractural elongation after cure.”

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections under §102.

Rejection Under 35 U.S.C. §103

On page 3 of the Office Action dated March 11, 2005, the PTO rejected claims 1-32 under 35 U.S.C. §103(a) as being allegedly obvious over Kami in view of Li. Inasmuch as the PTO has indicated, on page 2 of the current Office Action, that it is maintaining all previous rejections, Applicant respectfully traverses this rejection for the reasons set forth below.

To establish a *prima facie* case of obviousness, a combination of prior art references must teach or suggest each and every claim limitation of a claimed invention. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); MPEP § 2143.03. Further, there must be some motivation, suggestion, or reason, either in the references themselves, the knowledge generally available to a person having ordinary skill in the art, or the nature of the problem to be solved, to combine the references to arrive at the claimed invention. *In re Rouffet*, 149 F.3d 1350, 1357, 47 USPQ2d 1453, 1457-58 (Fed. Cir. 1998); MPEP § 2143.01.

As an initial matter, Applicant respectfully requests that the PTO reconsider the outstanding rejection under §103 in light of the response to the outstanding §112 rejection

outlined above. Applicant submits that neither Kami nor Li, whether taken individually or in combination, teaches or suggests the presently claimed arrangement of textiles and silicones.

Further, Applicant submits that neither Kami nor Li, whether taken individually or in combination, teaches or suggests "a second silicone interposed between the opposed sides of the first and second portions at a junction thereof, the second silicone comprising a solventless addition room-temperature-vulcanizing adhesive silicone" as recited in independent claims 1, 18, and 19.

If an independent claim is nonobvious under §103, then any claim depending therefrom is nonobvious. *In re Fine*, 5 USPQ2d 1596 (Fed. Cir. 1988). See MPEP 2143.03. Thus, Applicant submits that dependent claims 2-17, 24-26, and 29-32 are also non-obvious.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection under §103.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.